



## Telecommunications Newsletter Switzerland

# Federal Communication Commission Abandons the "Delta X Method" and Decreases the Interconnection Usage Charges Based upon the So-called Plausibility Schedules ("*Plausibilitätstabellen*")

Another chapter has been added to the long odyssey of interconnection proceedings:

By decision dated April 21, 2006, the Swiss Federal Supreme Court remanded the dispute between Swisscom Fixnet AG (hereinafter "Swisscom") and Verizon Switzerland AG (formerly "MCI Communications Switzerland AG" respectively "MCI WorldCom AG") and TDC Switzerland AG to the Federal Communication Commission (hereinafter "ComCom"). The Swiss Federal Supreme Court ruled that the determination of the interconnection charges and the application of the so-called "Delta X Method" was not suitable for the determination of the interconnection charges and held that the decision of the ComCom violated Swiss law to the extent the usage charges were calculated in application of the "Delta X Method". Both Swisscom and TDC Switzerland AG had lodged an administrative court appeal against this decision with the Swiss Federal Supreme Court. The second applicant, Verizon Switzerland AG did not lodge an appeal.

By decree of August 30, 2006, the ComCom has now determined the interconnection charges without the calculation step of the "Delta X Method" relying directly and solely upon the so-called plausibility schedules ("*Plausibilitätstabellen*"). The decree fixing the interconnection charges was issued without further hearings of the parties and is subject to administrative court appeal to the Swiss Federal Supreme Court.

The newly decreed interconnection charges are available on the ComCom's website at the following addresses:

<http://www.fedcomcom.ch/comcom/docs/oeV%20ComCom%20LRIC%20TDC-Swisscom%202006-08-30.pdf>

<http://www.fedcomcom.ch/comcom/docs/oeV%20ComCom%20LRIC%20Verizon-Swisscom%202006-08-30.pdf>

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David Käzig  
Marc Wenger

For further information, please contact:

David Käzig ([d.kaenzig@thouvenin.com](mailto:d.kaenzig@thouvenin.com))

Marc Wenger ([m.wenger@thouvenin.com](mailto:m.wenger@thouvenin.com))